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[*Jones v. Tennessee Valley Authority*, 89-ERA-27 \(Sec'y Jan. 26, 1995\)](#)
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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: January 26, 1995
CASE NO. 89-ERA-27

IN THE MATTER OF

JAMES C. JONES,
COMPLAINANT

v.

TENNESSEE VALLEY AUTHORITY
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

FINAL ORDER APPROVING SETTLEMENT
AND DISMISSING COMPLAINT

This case arises under the employee protection provisions of the Energy Reorganization Act of 1974 (ERA), as amended, 42 U.S.C. Sec. 5851 (1988 and Supp. IV 1992). The parties submitted a modified conciliation agreement to the presiding Administrative Law Judge (ALJ) and on November 1, 1994, the ALJ issued a decision recommending that, "the conciliation agreement as modified on remand" be approved and that the complaint be dismissed with prejudice.

Because the ALJ's recommendation for approval of the parties' agreement is based on the terms of their conciliation agreement, I am obligated to review it to determine whether its terms are a fair, adequate and reasonable settlement of the complaint in this matter. 42 U.S.C. Sec 5851(b)(2)(A) (1988). *Macktel v. Secretary of Labor*, 923 F.2d 1150, 1153-54 (5th Cir. 1991); *Thompson v. U.S. Department of Labor*, 885 F.2d 551, 556 (9th Cir. 1989); *Fuchko and Yunker v. Georgia Power Co.*, Case Nos. 89-ERA-9, 89-ERA-10, Sec. Order, Mar. 23, 1989, slip op. at 1-2.

After a thorough review of the parties' conciliation agreement, I find that the agreement, as modified, is a fair, adequate and reasonable resolution of the complaint.

Accordingly, I APPROVE the agreement and DISMISS
THE COMPLAINT WITH PREJUDICE.

SO ORDERED.

ROBERT B. REICH
Secretary of Labor

Washington, D.C.